

REMARKS

In the present Office Action, the Examiner rejected claims 1,2, and 5 under 35 U.S.C. § 102(b) as being anticipated by Blackburn et al. (U.S. Pat. No. 5,858,962). Claims 1-5 were rejected under 35 U.S.C. § 102(b) as being anticipated by WO 91/17469 to Kahan. Finally, claims 3 and 4 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Blackburn et al.

The Applicants have considered the Action and the cited art and believe the present invention, as amended, is patentably distinct from the cited art, either individually or in combination with any other art.

Claim 1 has been amended to recite a disinfectant for teats of animals consisting essentially of lysozyme, wherein the lysozyme is applied to at least one teat of an animal. Support for this amendment may be found at page 6, lines 1-20 and page 7, Table 1. Neither Blackburn nor Kahan teaches or suggests a disinfectant for teats of animals consisting essentially of lysozyme. Rather, Blackburn teaches a disinfectant that comprises lysostaphin and optionally, lysozyme. Additionally, Kahan teaches a composition for treating contact lenses. No teaching or suggestion is made by Kahan for using lysozyme in a disinfectant applied to a teat of an animal. Therefore, neither Blackburn nor Kahan, individually or together, teach or enable all of the elements of independent claim 1, or of dependent claims 2-5 and 11, which depend from, and include all the limitations of, claim 1.

Claim 5 has been amended to recite the inclusion of supplemental glycine in the disinfectant of the present invention. Additionally, claim 11 has been added to provide the presence of supplemental glycine in an amount of between about 0.5 and about 2.0 wt. %. Neither of the cited references teach or suggest the use of supplemental glycine, either in general as in claim 5, or using the specific range provided in claim 11. Support for this amendment may be found at page 4, lines 23-27.

The Applicants hereby affirm the provisional election to prosecute the invention of Group I, claims 1-5, and have canceled claims 6-10 subject to the right to file a divisional application directed to those claims.

In light of the foregoing amendments and discussion, Applicants respectfully request reconsideration of the present application and withdrawal of the rejections under 35 U.S.C. § 102(b), and 35 U.S.C. § 103(a). A formal Notice of Allowance of claims 1-5 and 11 is earnestly solicited. Should the Examiner care to discuss any of the foregoing in greater detail, the undersigned attorney would welcome a telephone call.

The Applicants have submitted this amendment within one month after the three month time period after mailing of the Office Action. Accordingly, the Applicants have also filed a request for a one month extension of time under 37 C.F.R. § 1.136(a) with the appropriate fee of \$55.00. No other fees are believed to be due at this time. Nonetheless, in the event that a fee required for the filing of this document is insufficient, the undersigned attorney hereby authorizes the Commissioner to charge payment of any fees associated with this communication, or to credit any overpayment to deposit account number 18-0987.

Should the Examiner wish to discuss any of the foregoing in more detail, the undersigned attorney would welcome a telephone call.

Respectfully submitted,



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